



PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Application No.: 10/730,566
Filing Date: December 8, 2003
Applicant: Blackwell-Thompson, et al
Group Art Unit: Unknown
Examiner: Unknown
Title: SYSTEM AND METHODS FOR
INTEGRATING A PAYLOAD WITH A LAUNCH
VEHICLE
Attorney Docket: 7784-000467/DVA

Commissioner of Patents
P.O. Box 1450
Alexandria, Virginia 22313-1450
Attn: Licensing and Review

LETTER

Sir:

This letter is in response to the Form PTOL-456 (45 Day Letter) mailed April 26, 2004, a copy of which is enclosed. This letter shall confirm that the above invention was made with Government support under Contract Number NAS-10-11400 awarded by the National Aeronautics and Space Administration (NASA). Enclosed for filing is a preliminary amendment to amend the above application to include the foregoing statement.

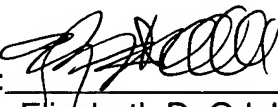
It is my understanding that you will forward the enclosed preliminary amendment to the Technology Center for processing. If you need any further information, or if it would expedite the prosecution of the above application,

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please telephone the undersigned at (314) 726-7521. Thank you for your assistance.

Respectfully submitted,

Dated: June 10, 2004

By: 
Elizabeth D. Odell

HARNESS, DICKEY & PIERCE, P.L.C.
P.O. Box 828
Bloomfield Hills, Michigan 48303
(248) 641-1600

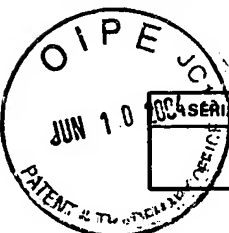
MDE/EDO/dmkd

7784- 000467/DVA
45 Day Resp. Req.
Due 6/10/04

MDE, EDO EV 404053132 US



IFW
UNITED STATES DEPARTMENT OF COMMERCE
Patent and Trademark Office
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SERIAL NUMBER	FILING DATE	FIRST NAMED APPLICANT	ATTY. DOCKET NO.
10/730,566	12/08/03	BLACKWELL-THOMPSON, ET AL.	7784-000467/DVA

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AKG
02-0031A
(014002)

EXAMINER	
ART UNIT	PAPER NUMBER

Scanned and sent to: Cook/Kylee
S-6-04

DATE MAILED: **MAILED**
APR 26 2004

Date: _____

LICENSING & REVIEW

IF NO RESPONSE TO THIS NOTICE IS RECEIVED WITHIN FORTY-FIVE DAYS, A FORMAL REQUIREMENT WILL BE ISSUED

The subject matter of this application appears to:

☐ be "useful in the production or utilization of special nuclear material or atomic energy" as recited in 42 U.S.C. 2182 (Department of Energy (DOE)).

☒ have significant utility in the conduct of aeronautical and space activities" as recited in 42 U.S.C. 2457 (National Aeronautics and Space Administration (NASA)).

Accordingly, no patent can issue on this application unless applicant(s) file a statement (under oath or in the form of a declaration as provided by 37 CFR 1.68) setting forth: (1) the full facts concerning the circumstances under which the invention was made and conceived and (2) the relationship (if any) of the invention to the performance of any work under any contract or other arrangement with the Agency(ies) noted above. On the reverse side of this form is an example of an acceptable format for this statement. The language appearing in paragraphs III and/or IV of the example *must* appear if applicant is attempting to establish that no relationship (under item 2 above) exists.

If the invention disclosed in this application was developed under a contract, grant or cooperative agreement between the Agency indicated above and a person, small business or non-profit organization and rights to the invention have been determined by specific reference to 35 U.S.C. 202 in the contract, grant or cooperative agreement, then applicant need not submit the statement described above. Instead, applicant may file a verified statement (under oath or in the form of a declaration, 37 CFR 1.68) setting forth the information required by 35 U.S.C. 202(c)(6).

IF NO STATEMENT HAS BEEN RECEIVED WITHIN FORTY-FIVE DAYS OF THE MAIL DATE INDICATED ABOVE, a formal requirement for statement will then be issued. No provision is made for extension of the statutory thirty-day period for response to the formal requirement and the penalty for failure to file an acceptable and timely statement is abandonment of the application. Therefore, applicants are strongly encouraged to submit a statement at this time in order to avoid the issuance of a formal requirement.

IT IS IMPORTANT TO NOTE that the statement must accurately represent the property rights situation of the claimed invention if and when the application is found allowable. Thus, if during prosecution before the examiner, the claimed invention is so altered or the property rights situation so changed as to impact the accuracy of a statement submitted earlier, a supplemental statement must be filed. Failure to submit such additional information where appropriate may be considered a false representation of material facts and render the patent owner vulnerable to loss of patent rights and other sanctions as set forth in the statutes. The PTO will not review allowed applications for this possibility. The responsibility for complying with the statutes rests with the applicants.

Any questions regarding this requirement should be directed to Licensing and Review at (703) 306-4191

(703) 306-4191

PLEASE DIRECT ALL COMMUNICATIONS RELATING TO THIS MATTER TO THE ATTENTION OF LICENSING AND REVIEW